

*****DRAFT - NOT FOR FILING*****

Rule 3301-48-02 | Interdistrict open enrollment programs.

Commented [FH1]: Global changes are made to reduce regulatory restrictive language consistent with SB 9, 134th GA (ORC 121.95). Additional changes are made to reduce duplication of language set forth in law, as required by ORC 106.03.

(A) Student application and admitting procedures.

(1) Section 3313.98 of the Revised Code requires that Each school district adopting an interdistrict open enrollment policy allowing either enrollment of adjacent school district or all other school district students tuition free pursuant to section 3313.98 of the Revised Code include provisions in the policy that shall be required to include, but are not limited to, the following provisions:

(a) A district-wide timeline ~~line~~ for parental information, the application process, and notification of student acceptance;

(b) Criteria for prioritizing applications for participation in interdistrict open enrollment;

(c) Criteria for establishing district capacity limits by grade level, school building and educational program; and

(d) Procedure to ensure that appropriate racial balance is maintained in the district schools. (2) Each school district with an interdistrict open enrollment policy is expected to shall maintain but not be limited to, the following records including the following:

(a) Individual student applications and a summary of those student applications for a school year;

(b) Evidence of parental informational meetings; and

(c) Evidence of notification of parents and school building administrators.

(B) School district monitoring.

(1) ~~Section 3313.98 of the Revised Code specifies that s~~ School districts participating in interdistrict open enrollment ~~are to~~ shall be monitored by the state board ~~Ohio department of education~~ to ensure compliance with. ~~The monitoring process shall determine that the policies, agreements, procedures, and guidelines developed by school districts are implemented as specified in section 3313.98 of the Revised Code~~ and the district policies.

Commented [FH2]: ORC 3313.98 indicates that the "state board" must monitor compliance. The rule language is modified to reflect this, but continues to reflect that the monitoring process is implemented by the department as the state board's administrative arm.

(2) For monitoring purposes, each school district ~~shall~~ will provide the Ohio department of education with the following upon request:

(a) Written application and admission procedures and the application form used by the district;

(b) Written procedure for establishing district capacity limits by grade level, school building, and educational program; ~~and~~

(c) Written procedure to ensure that an appropriate racial balance is maintained in the district schools; and

(d) Access to records as described in paragraph (A)(2) of this rule.

Commented [FH3]: This language is added to mirror language in Rule 3301-48-01(C)(2)(d) based on stakeholder feedback.

(3) ~~The monitoring process used by the Ohio department of education shall consist~~ of the following:

~~(a) Pursuant to deadlines established by the Ohio department of education, d~~ Districts will be required to certify to the Ohio department of education, in the format prescribed by the department;

(a) That the district is complying with the requirements in section 3313.98 of the Revised Code. Districts will submit this certification within the timeframe established by the department;

(b) Any change made by a school district to its interdistrict open enrollment policy ~~shall be certified to the Ohio department of education~~ within thirty days of the adoption of the resolution approving the change;

(c) Upon request of the department, each district ~~shall~~ will report any complaints filed or received regarding its interdistrict policy; and

(d) The ~~Ohio department of education~~ may request such documents as necessary to verify the open enrollment policies adopted are being adhered to by the district and complaints are being addressed. This monitoring may also be completed via an on-site visit to the district.

(C) Reporting requirements.

(1) The board of education of each city, exempted village, and local school district and each joint vocational school district is to comply with the applicable reporting requirements set forth in section 3313.981 of the Revised Code. ~~A school district that has adopted a resolution permitting open enrollment shall report by the date specified in section 3317.03 of the Revised Code; the number of adjacent district, other district, or other district joint vocational district students enrolled, the classes or grade levels assigned, and the dates of enrollment to the Ohio department of education. Each native student's date of enrollment in an adjacent or other district shall also be reported.~~

(2) A school district that has adopted a resolution permitting open enrollment shall report, Reporting in compliance with section 3313.981 will be accomplished through the statewide education management information system in a manner that complies with sections 3317.03 and 3301.0714 of the Revised Code, and rule 3301-14-01 of the Administrative Code, by the first day of September of each year, the number of adjacent district, other district, or other district joint vocational district students enrolled, the classes or grade levels assigned, and dates of enrollment to the superintendent of the student's native district. Students enrolling after said day shall be reported in a like manner.

Commented [FH4]: Paragraph (C) is revised to reflect that current interdistrict enrollment related data is reported through EMIS. In addition, the data fields that must be reported are set forth in ORC 3313.981, and language in this rule is stricken to the extent it duplicates statutory language (see ORC 106.03). The timeframes for reporting are set forth in ORC 3317.03, which establishes October 31, March 31, and June 30 reporting deadlines. EMIS windows for those reporting periods close on December 31, April 30, and July 31, respectively.

~~(3) All school districts shall report, by the fifteenth day of June of each year, to the Ohio department of education, the number of native students enrolled in adjacent or other school districts and in an adjacent or other joint vocational school district and the number of adjacent or other school district students and adjacent or other joint vocational school district students enrolled pursuant to section 3313.98 of the Revised Code. Student average daily membership shall~~ enrollment is to be reported on the basis of full-time equivalence (FTE).

~~(D) Financial calculations, credits to educating districts, and deductions to native districts shall be made in accordance with section 3313.981 of the Revised Code. Financial settlement of the credits and deductions shall be made with payments authorized by Chapter 3317. of the Revised Code~~ The educating district will receive payment based on section 3313.981 of the Revised Code.

Commented [CA5]: Revisions made consistent with HB 110 (134th GA). The educating district will be receive payment based on 3313.981 of the Revised Code.

Authorized By: [3301.07](#); [3313.98](#); [3313.981](#)

Amplifies: [3313.98](#)

Five Year Review Date: 6/28/2023